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Board of Building Regulations and Standards (BBRS)

April 2, 2019 Meeting

1000 Washington Street, Boston 02118
Conference Room 1D

Second Vice Chairman, Richard Crowley, opened the regular meeting at approximately 10:10 a.m.

Chairman Couture took roll call as follows:

John Couture, Chair	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent	Peter Ostroskey*	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Kerry Dietz, Vice Chair	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent	Michael McDowell	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Richard Crowley, Second V. Chair	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Susan Gleason	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Kevin Gallagher	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent	Lisa Davey	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Cheryl Lavalley	<input type="checkbox"/> present <input checked="" type="checkbox"/> absent	Steve Frederickson	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent
Robert Anderson	<input checked="" type="checkbox"/> present <input type="checkbox"/> absent		

* Jen Hoyt participated as the designee for State Fire Marshal, Peter Ostroskey.

General notes on format of these minutes

- These minutes represent general points of discussion by members and audience participants during the regular meeting session. The minutes are not intended to be a verbatim account of discussions.
- Votes are noted as **MOTION** by, seconded by, and whether it was a unanimous or split vote.
- Agenda topics as numbered may be in the same order as they appear on the meeting agenda.
- The meeting agenda is listed as **EXHIBIT A**; others are listed sequentially as addresses during the meeting.

1. **Introduce** New DPL Commissioner, Diane M. Symonds.

Second Vice Chairman, Richard Crowley, introduced newly appointed Commissioner Symonds and welcomed her to the agency.

Commissioner Symonds thanked Mr. Crowley and all Board members for the warm welcome, indicating that she was excited to explore and assist with issues relating to the BBRS as well as other matter. First Deputy Commissioner, Neldy Jean-Francois was also in attendance and thanked Board members for the work and dedication.

2. **BBRS Minutes.** On a **MOTION** by Jen Hoyt seconded by Kevin Gallagher it was unanimously voted to approve the minutes for the March 12, 2019 Board of Building and Regulations and Standards (BBRS) meeting as submitted (**EXHIBIT B**).

On discussion, Rob Anderson asked for clarification with regard to an effective date. Rob noted that Board members first debated whether or not to have a concurrency period beginning July 1st, but ultimately decided to forgo concurrency and simply declare the effective date to be January 1, 2020. However, in order to provide adequate notice to code users and enforcers, once the final amendments were thoroughly vetted internally, the new energy code based on an amended version of the 2018 International Energy Conservation Code (IECC), will be posted on the OPSI website and promoted through building official and other organizations to ensure that all are aware of new code requirements prior to the January effective date. All agreed.

3. **BOCC Minutes.** Board members tabled action on the March 5, 2019 Building Code Certification Committee (BOCC) minutes (**EXHIBIT C**).
4. **Discuss Progress Towards Tenth Edition 780 CMR.** Rob Anderson indicated that all established technical committees are continuing their review of 2018 I-Codes and related Massachusetts amendments. The Geotechnical Advisory Committee is almost complete and will be reporting its recommendations during the April BBRS meeting. Rob also noted that OPSI building inspectors and staff will review Chapters 1 in the IBC and IRC as well as technical content of the International Residential Code (IRC) for proposed tenth edition amendments.
5. **Discuss 2019 National Building Code Assessment Report** for Building Code Effectiveness Grading Schedule (**EXHIBIT D**).

Rob Anderson introduced the topic explaining that the Insurance Service Organization (ISO) periodically reviews building department for code enforcement effectiveness. Each department begins with a score of 100. Points are deducted for perceived deficiencies, such as, stale building codes, lax enforcement, inadequate training and other issues.

The 2012 report assigned a score of 87 for Massachusetts; the score dipped to 79 in the 2015 report. The recently issued 2019 review assessed departments a bit differently. Previously, all department functions were judged as a whole. During the latest review, distinct ratings were assigned for commercial and residential projects. Massachusetts scored 52 for commercial and 49 for residential projects, dipping yet again. The report was particularly critical of inadequate training.

Chief Gallagher explained that ISO performs similar reviews of fire department effectiveness.

In response to questions from Board members, Rob Anderson explained that insurance premium ratings are affected by scores received, but he was not certain as to the extent.

Audience member and Massachusetts Federation of Building Officials President, Robert Borden, explained that many cities and towns have been deeply downgraded due to insufficient code related education. President Gordon expressed that, although approached on numerous occasions for assistance, the insurance industry contributes zero to building code education.

6. **Discuss Progress of the Manufactured Buildings Study Group.** OPSI Manufactured Buildings Director, Dan Walsh, indicated that the group was scheduled to meet following this meeting, but the meeting was cancelled due to a scheduling issue.

In response to questions from Board members, Dan indicated that the study group has met approximately once per month for the last several to determine program improvements. Presently, the group is making a side-by-side, line-by-line comparison of eighth vs. ninth edition requirements of 780 CMR Chapter 110.R3.

7. **Discuss approval of 84 new CSLs issued in the month of March, 2019.**
Board members acknowledged approval of the new CSLs issued.
8. **Discuss CSL Average Passing Score\Medical\Military\ Age or Continuing Education Requirements.**
On a **MOTION** by Mike McDowell, seconded by Susan Gleason it was unanimously voted to approve reinstatement of construction supervisor license number CS-074055, Scott Lazo, and CS-013173, Paul Brodeur, due to a medical issues.
9. **Discuss other matters not reasonably anticipated 2 business days in advance of meeting.**
None this month.
10. **Discuss** Investigative Conference in Closed Session. OPSI Attorney, Charles Kilb, explained that Board members needed to vote to close the regular meeting, then reconvene to discuss a pending matter.
11. **Adjourn.** On a **MOTION** by Jen Hoyt, seconded by Mike McDowell it was unanimously voted to adjourn the regular meeting at approximately 10:45 a.m.

EXHIBITS:

- A. Meeting Agenda.
- B. Minutes for the March 12, 2019 Board of Building and Regulations and Standards (BBRS) meeting.
- C. Minutes for the March 5, 2019 Building Official Certification Committee (BOCC) meeting.
- D. **2019 National Building Code Assessment Report** for Building Code Effectiveness Grading Schedule.